

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2002-144-E - ORDER NO. 2002-515

JULY 9, 2002

IN RE: Sallie Saldano,)	ORDER GRANTING
)	MOTION TO DISMISS
Complainant)	WITHOUT PREJUDICE
vs.)	
)	
South Carolina Electric and Gas Company,)	
)	
Respondent)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion to Dismiss the Complaint of Sallie Saldano (Mrs. Saldano) filed by South Carolina Electric & Gas Company (SCE&G). We grant the Motion to Dismiss, without prejudice.

On January 22, 2002, Mrs. Saldano filed a written complaint with the Commission alleging an error in computation of her December, 2001 SCE&G electric bill, and requested that a hearing be held by the Commission in her dispute with SCE&G. On April 22, 2002, the Commission issued Order No. 2002-308 which granted Mrs. Saldano's request for hearing. Thereafter, this matter was scheduled to be heard on July 24, 2002. Pursuant to 26 S.C. Regs. 103-869(C) (Supp. 2001), the Commission issued Order No. 2002-363, dated May 8, 2002, which established prefile deadlines for testimony and exhibits of both Mrs. Saldano and SCE&G. By Order No. 2002-363, Mrs.

Saldano was required to file her direct testimony and exhibits by June 26, 2002, and SCE&G was to file its direct testimony and exhibits by July 10, 2002.

On July 2, 2002, SCE&G filed a Motion to Dismiss the complaint of Mrs. Saldano, citing that, as of the date of its Motion to Dismiss, Mrs. Saldano had not complied with Order No. 2002-363 by filing her direct testimony and exhibits. SCE&G requests that the Commission enter an order dismissing the Complaint in this matter. SCE&G adds further that if the Commission decides to excuse Mrs. Saldano's failure to prefile her direct testimony and grants Mrs. Saldano additional time to file, SCE&G requests that it be allowed to prefile its direct testimony and exhibits two weeks after the new date established for Mrs. Saldano to prefile her direct testimony and exhibits.


We agree with SCE&G's reasoning for requesting dismissal. Mrs. Saldano did not prefile her direct testimony and exhibits by the required due date. Further, we note that Mrs. Saldano did not request an extension of the prefiling dates. Noting Mrs. Saldano's failure to prefile her direct testimony and exhibits as required by Order No. 2002-363, and her failure to apply to the Commission for an extension of time to prefile her direct testimony and exhibits, we grant SCE&G's Motion to Dismiss. The Complaint is therefore dismissed without prejudice.

JULY 9, 2002

PAGE 3

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)